Stalking & Sexual Assault

USAREUR Sexual Assault Prevention and Response (SAPR) Program

March 9, 2009

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Stalking resource center

Stalking

A course of conduct directed at a specific person that would cause a reasonable person to feel fear.

Context

- Can you threaten someone without using any threatening words?
- Can non-criminal acts be stalking?

Context is critical!

Prevalence of Stalking

3.4 million people stalked annually

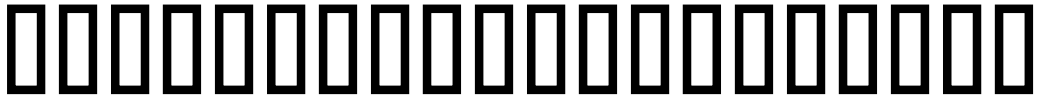
- Persons aged 18-24 experienced the highest rates of stalking victimization
- Nearly half experienced at least 1 unwanted contact per week

-- *Stalking Victimization in the United States*, BJS (2009)

Gender of Stalking Victims

Females are nearly **3 times** more likely to experience stalking than males

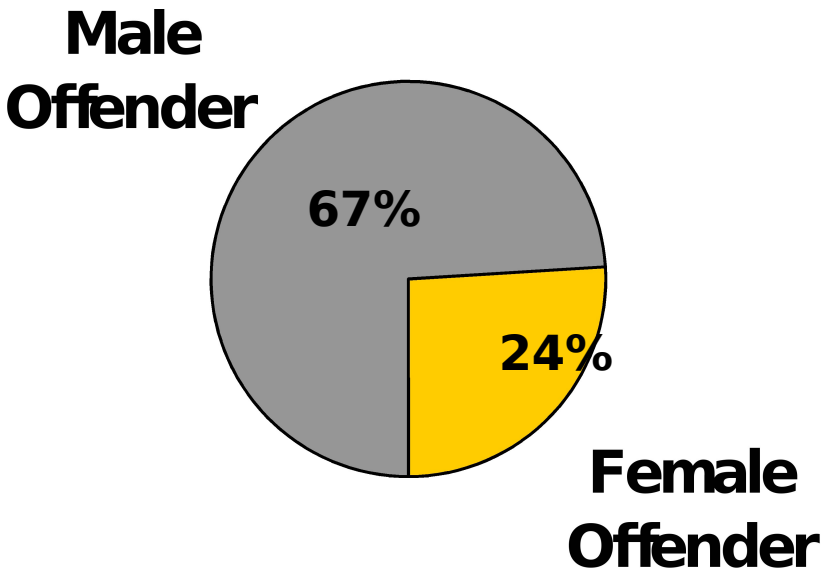
7 per 1000 males age 18 and over



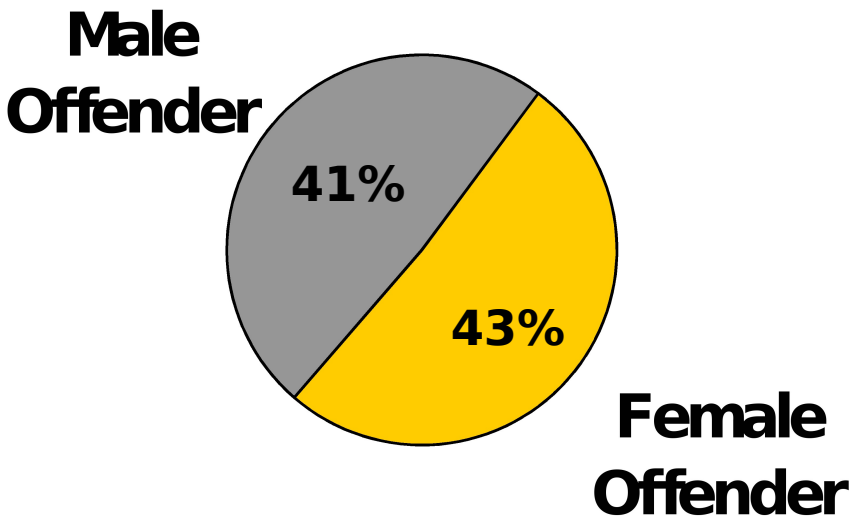
20 per 1000 females age 18 and over

Gender of Offenders

Female Victims



Male Victims



Profiles

THERE ARE NO DEFINITIVE PROFILES OF STALKERS!

Stalker Typologies

- Multiple typologies – ranging from 3 to 12
- Can be helpful, but are only general classifications
- Individual stalkers may not precisely fit any single category, and often exhibit characteristics associated with more than one category
  - Simple obsessional
  - Love
  - Erotomania
  - False victimization syndrome
  - Intimate
  - Nonintimate
    - Organized
    - Delusional

Demographics

Criminal History:

- 33% had prior adult violent criminal history
- 19% had prior adult non-violent criminal record
- 27% had no priors

The RECON Typology of Stalking, Mohandie *et al* (2006)

Demographics

- 46% of offenders had a clear or probable DSM-IV-TR diagnosis at time of stalking; 30% had none
- Substance abuse present in 32% of cases
- Suicidal ideation present in 25% of cases

The RECON Typology of Stalking, Mohandie *et al* (2006)

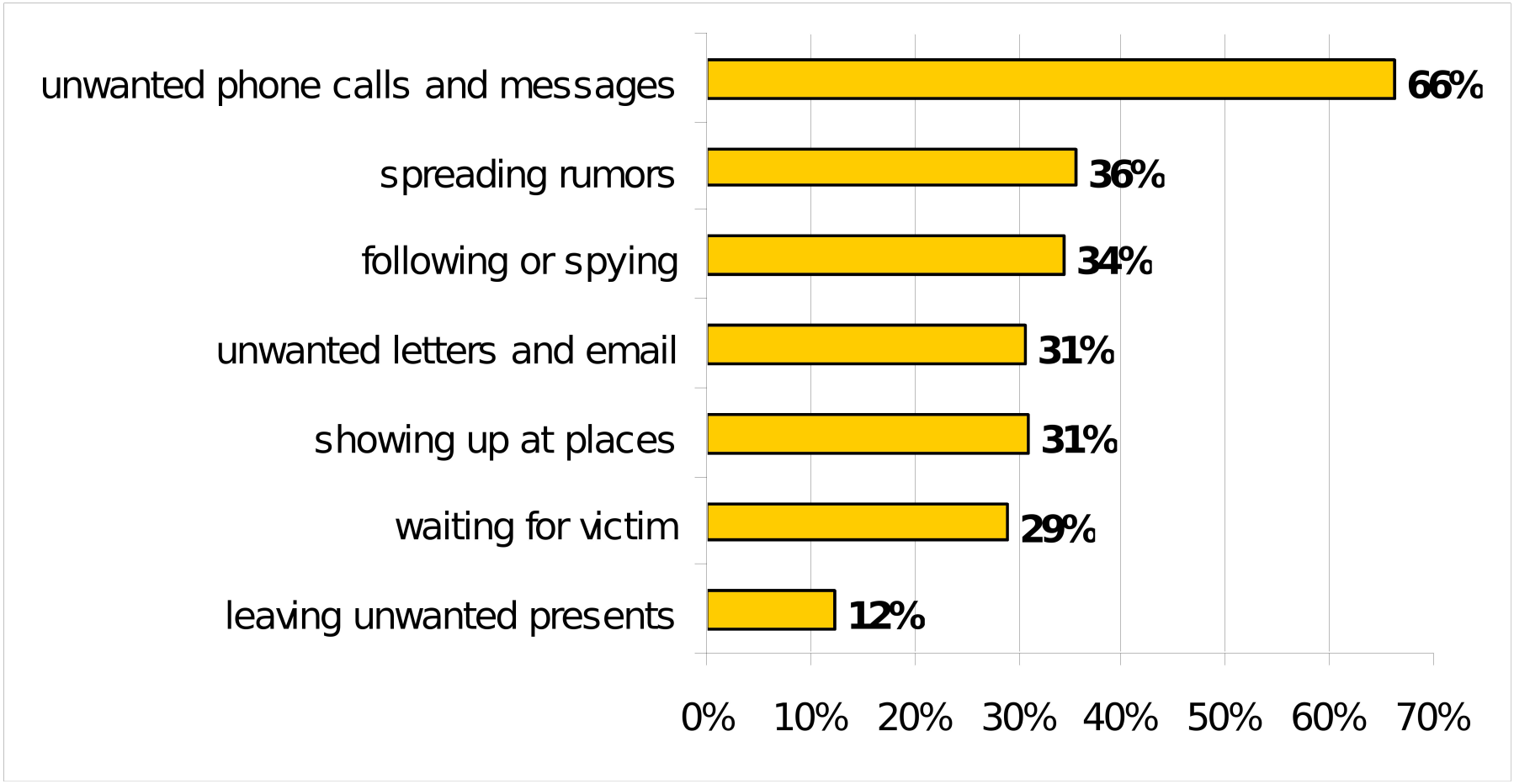
Stalking Behavior

Pattern of Behavior

- 2/3 of stalkers pursue their victim at least once per week
- 78% of stalkers use more than one means of approach
- Weapons used to harm or threaten victims in about 20% of cases

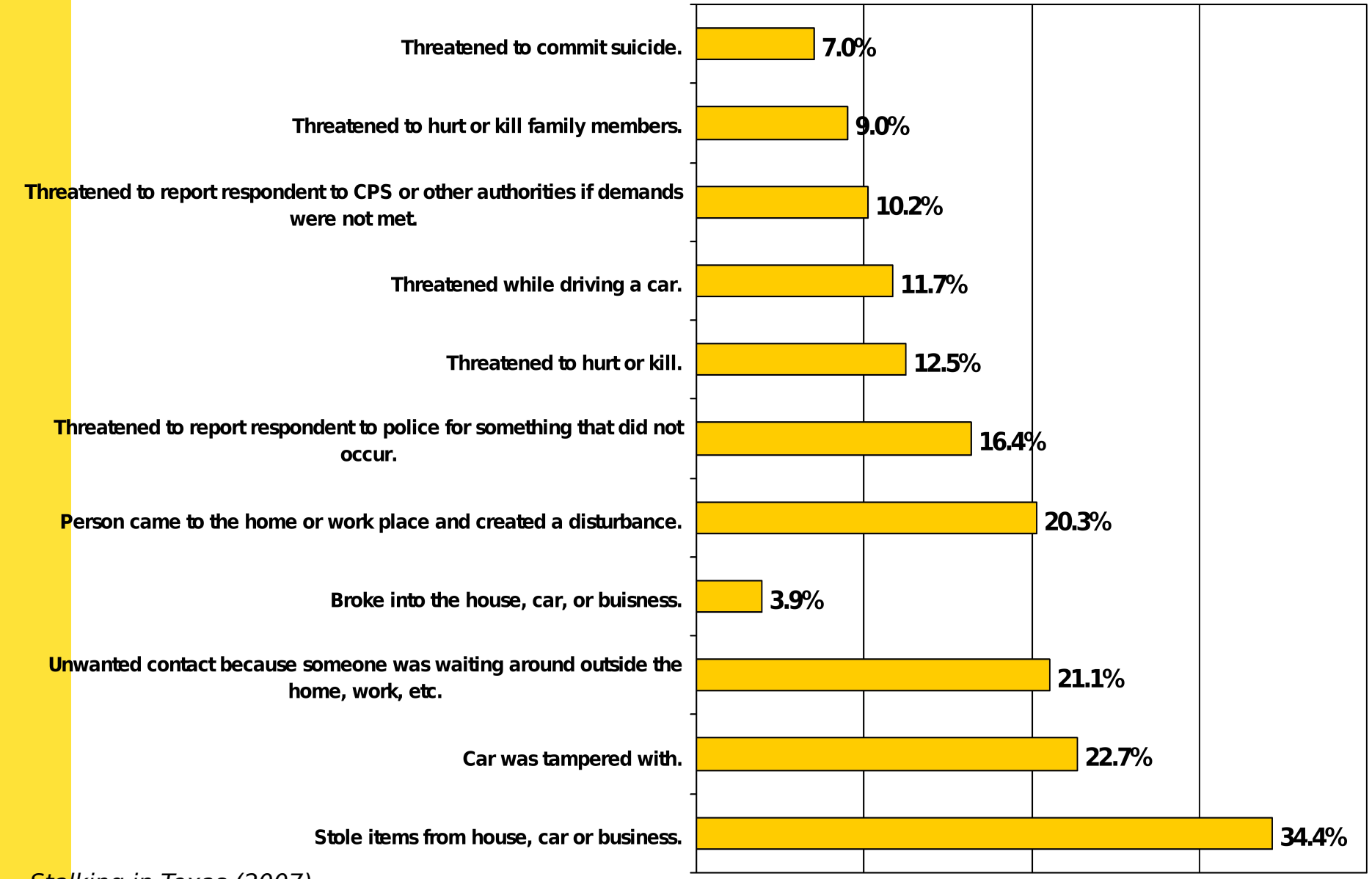
- The RECON Typology of Stalking (2006)

Stalking Behaviors



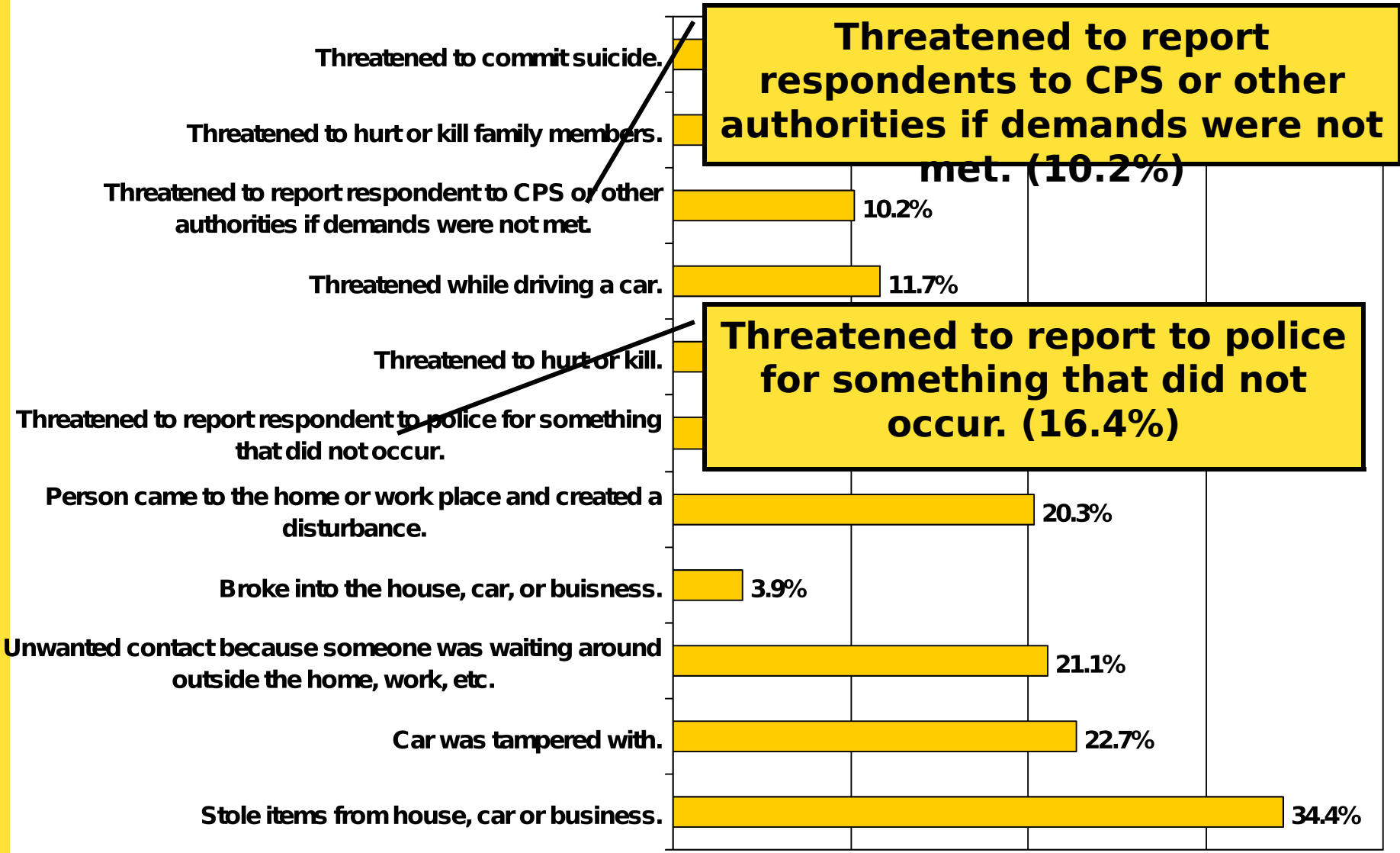
-- *Stalking Victimization in the United States*, BJS (2009)

Stalking Behaviors


Threatened to commit suicide.
7.0%
Threatened to hurt or kill family members.
9.0%
Threatened to report respondent to CPS or other authorities if demands were not met.
10.2%
Threatened while driving a car.
11.7%
Threatened to hurt or kill.
12.5%
Threatened to report respondent to police for something that did not occur.
16.4%
Person came to the home or work place and created a disturbance.
20.3%
Broke into the house, car, or buisness.
3.9%
Unwanted contact because someone was waiting around outside the home, work, etc.
21.1%
Car was tampered with.
22.7%
Stole items from house, car or business.
34.4%

- Stalking in Texas (2007)

Stalking Behaviors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Stole items from house, car or business.
34.4%
Threatened to report respondents to CPS or other authorities if demands were not met. (10.2%)
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- *Stalking in Texas (2007)*

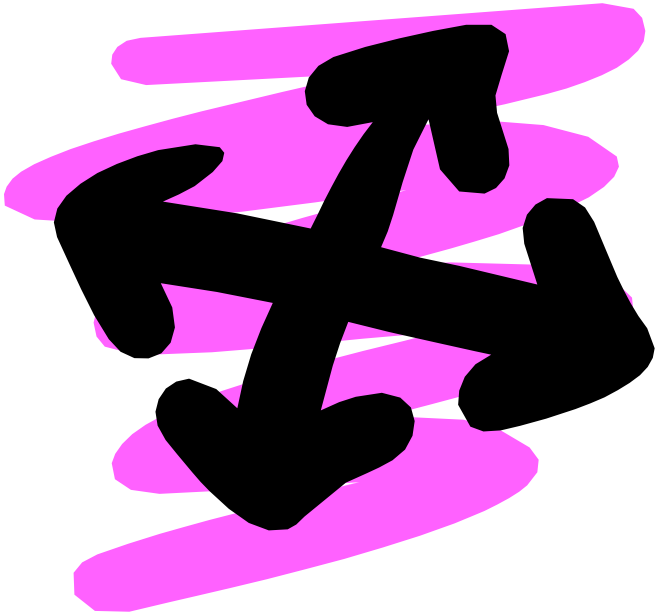
Use of Technology to Stalk

- Phones
- Cameras
- Global Positioning Systems (GPS)
- Computers
- Email & IM
- Spyware
- Assistive technologies
- Social networking sites

Why do they stalk?

- Seeking Affection
- Rejection
- Obsession
- Power & Control
- Sexual Gratification
- Planning to commit a crime
- Because they can

The Intersection of Stalking and Sexual Assault



Stalking and Sexual Assault

- 2% of stalking victims were raped/sexually assaulted by their stalker

  - *Stalking Victimization in the United States*, BJS (2009)

- 31% of women stalked by her intimate partner were also sexually assaulted by that partner

  - *National Violence Against Women Survey*, Tjaden & Thoennes (1998)

Premeditation and Stalking

- What does premeditate mean?
- How might someone premeditate a sexual assault?
- Can premeditation = stalking?

“Nondomestic Organized Stalker”

Case example from *A Typology of Interpersonal Stalking;* Journal of Interpersonal Violence, Vol. 11, No. 4, December 1996.

- Journal article discusses what they call the **nondomestic organized stalker**”.
- Victim is unlikely to know she is being stalked by this person until stalker chooses to let her know.

“Nondomestic Organized Stalker”

- A man who was stalking a woman was arrested outside her apartment after she observed him & called police.
- Woman recently found her bathing suit taped to windshield of her car.
- On another occasion, she found some of her undergarments draped on the car’s mirror.
- 1 week prior to the arrest, the victim found cartridge casings from a handgun taped to her car’s window.

“Nondomestic Organized Stalker”

- Stalker was found sitting in his car less than 100 yards from victim’s apartment.
- He was carrying:
  - Knife
  - Key to woman’s apartment

“Nondomestic Organized Stalker”

In his car they also found:

- .22 caliber pistol & ammunition
- Stun gun
- Mace
- Camera & film
- 2 sets of binoculars
- 2 tape recorders
- 2 flashlights
- Pictures of victim’s apartment & car
- Rubber gloves
- Cotton gloves
- Stocking mask
- Large nylon bag
- Bag w/ change of clothing
- Several condoms
- Book of nude pictures
- Gun cleaning kit
- Cooler filled with ice & beer

“Nondomestic Organized Stalker”

- Months prior to this incident the offender was acquitted of burglarizing the woman’s home.
- What do you think he was planning to do?
- Is “**nondomestic organized stalker**“ another way of saying ***rapist***?

FBI Research

- Interviews with convicted rapists in prison
- General pattern for rape:
  - Targeted women
  - Watched them over time
  - Waited for opportunity when woman was vulnerable
- Could this be considered stalking?

Dr. Lisak's Research

- 1,882 men interviewed as part of the study…all were volunteer participants

- Sample question:

  Have you ever had sexual intercourse with an adult when they didn't want to because you used physical force (twisting their arm; holding them down, etc.) if they didn't cooperate?

Lisak, David. *Repeat Rape and Multiple Offending Among Undetected Rapists*, Violence and Victims, Vol. 17, No. 1, 2002.

Of the **1,882** men:

- 120 (6.4%) met criteria for rape or attempted rape
- 76 reported committing multiple rapes
- 120 committed a total of 483 rapes, but the **76 repeat rapists** committed **439** of them (average of 5.8 each).
- 70 of the 120 admitted to other acts of interpersonal violence, including battery, physical/sexual abuse of kids, and sexual assault short of rape/attempted rape.

Single Act Rapists

44 men

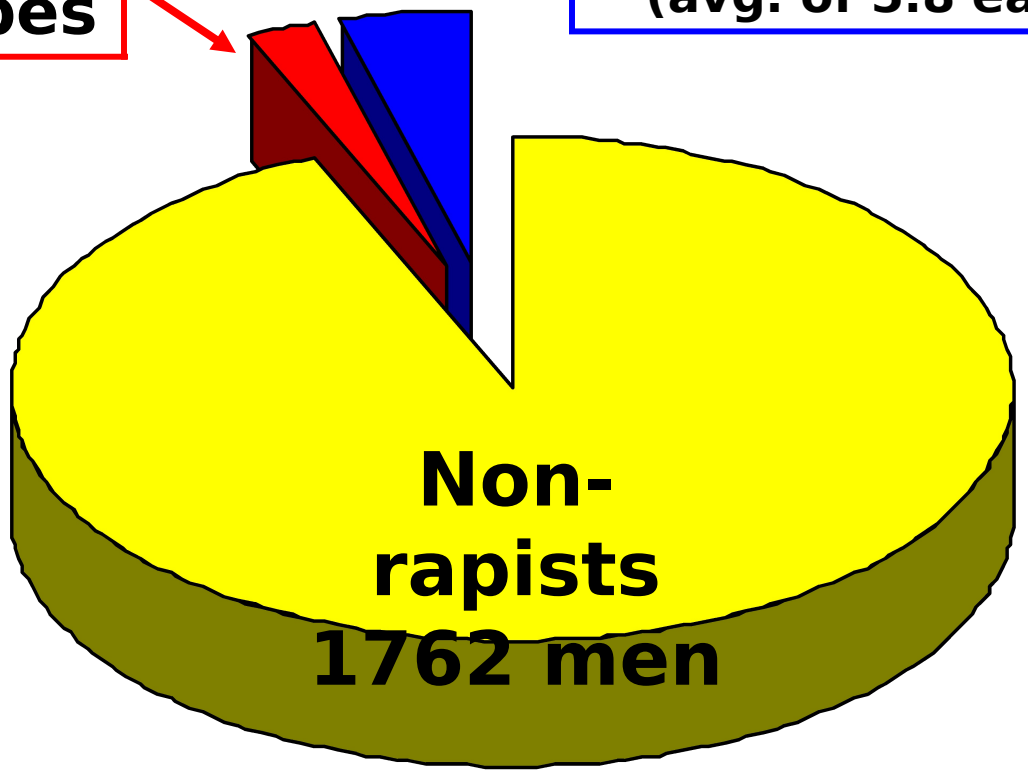
44 rapes & attempted rapes

Serial Rapists

76 men

439 rapes & attempted rapes

(avg. of 5.8 each)



The Undetected Rapist

Implications of Research on Undetected Rapists

The Typical Rapist:

- Does not use a weapon
- Uses instrumental, not gratuitous violence
- Has access to consensual sex
- Comes from all racial and ethnic groups
- Is not mentally ill

Implications of Research on Undetected Rapists

The Typical Rapist:

- Premeditates & plans his attack
- Uses multiple strategies to make victim vulnerable
- Uses alcohol deliberately
- Increases violence as needed

Common Characteristics Between Incarcerated and Undetected Rapists

- Angry at women
- Need to dominate women
- Believe in rape myths
- Hold hypermasculine attitudes
- See “intimate” violence as normal
- See women as objects to be conquered
- Have deficits in empathy

Similarities between non-stranger and stranger rapists:

- Many rapists are serial rapists
- Rape is usually planned in advance
- Victim’s accessibility was primary factor in rapist’s decision
- Victim’s appearance had little or nothing to do with the rapist’s decision

Undetected Rapists

Interviews with the men revealed:

- Rapist feels anger not empathy when a victim resists.
- Rapist minimizes and sanitizes his violence.
- **Women are “targets” & “prey”**
- **Women are “staked out”**

Rapes were preceded by:

- Following
- Surveillance
- Information gathering

Might this be stalking?

Post-Assault Contact

- Threatens victim
  - Implicit or explicit
- Attempts to frame the incident
- Maintain social contact

Could we consider this stalking?

Course of Conduct

- Approach/Engagement
- Calling/texting/emailing
- Showing up at class/residence/work
- Information gathering
  - friends
  - social networking sites

Post-assault contacts

What do you think?

Is there a connection between stalking and sexual assault?

So What?

What benefit is there to making a connection between stalking and sexual assault?

- Validation of Victims' Experiences
  - Provides context
  - Places blame solidly on the perpetrator
  - Provides additional proof
- Enhanced opportunities for intervention
- Increased opportunities for offender accountability
  - UCMJ Article 120 - Stalking

UCMJ – Article 120a

(a) Any person subject to this section--

(1) who wrongfully engages in a course of conduct directed at a specific person that would cause a reasonable person to fear death or bodily harm, including sexual assault, to himself or herself or a member of his or her immediate family;

(2) who has knowledge, or should have knowledge, that the specific person will be placed in reasonable fear of death or bodily harm, including sexual assault, to himself or herself or a member of his or her immediate family; and

(3) whose acts induce reasonable fear in the specific person of death or bodily harm, including sexual assault, to himself or herself or to a member of his or her immediate family;

is guilty of stalking and shall be punished as a court-martial may direct.

(b) In this section:
(1) The term `course of conduct' means--
(A) a repeated maintenance of visual or physical proximity to a specific person; or
(B) a repeated conveyance of verbal threat, written threats, or threats implied by conduct, or a combination of such threats, directed at or toward a specific person.
(2) The term `repeated', with respect to conduct, means two or more occasions of such conduct.
(3) The term `immediate family', in the case of a specific person, means a spouse, parent, child, or sibling of the person, or any other family member, relative, or intimate partner of the person who regularly resides in the household of the person or who within the six months preceding the commencement of the course of conduct regularly resided in the household of the person.

Key Points

- Many pre-sexual assault behaviors can be considered predatory behaviors and stalking
- Understanding connections between stalking and sexual assault can help:
  - validate victim experiences
  - decrease victim blaming
  - assist in developing educational programming as well as other advocacy responses for victims
- Identifying stalking behavior can increase options for intervention and holding offenders accountable

Resources for Victims

- **Brochure for Victims (Are You Being Stalked?)**
- **Stalking Questions and Answers**
- **Stalking Incident Behavior Log**
- **Safety Plan Guidelines**
- **Cyberstalking: Dangers on the Information Superhighway**
- **Ten Things You Should Know About Stalking**

www.ncvc.org/src

Stalking
resource center

Practitioners: 202-467-8700

www.ncvc.org/src

THE NATIONAL CENTER FOR
Victims of Crime

Victims: 1-800-FYI-CALL